

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LIU, *et al.*

Application No.: 09/001,884

Filed: December 31, 1997



Group No.: 2733

Examiner: K. Negash

For: METHOD AND SYSTEM FOR RESTORING COINCIDENT LINE
AND FACILITY FAILURES

RECEIVED

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

JUN 19 2000

OFFICE OF PETITIONS
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

1. The above referenced Application became abandoned on February 10, 2000.
2. This Application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply, from the due date of the reply until the filing of this petition, was unintentional.
3. Applicants hereby petition for revival of this Application.
4. Attached herewith is the filing of a continuation application in reply to the outstanding Action. Applicants respectfully request that this Application be expressly abandoned conditioned upon the continuing application being granted a filing date and having been copending with this Application.
5. A reply by Applicants to the outstanding Action placing the Application in condition for allowance is attached hereto. Applicants respectfully request that the amendments be entered into the continuing application.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Date: 6/13/00

Signature: Carolyn McRae

06/15/2000 SLUANG1 00000135 132491 09001884

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1210.00 CH

Printed name of person certifying: Carolyn McRae

6. Although it is believed that all necessary fees are provided for in other documents attached hereto, the Commissioner is hereby authorized to charge any additional fees, including the petition fee set forth in 37 C.F.R. 1.17(m), as well as any other fees required to revive the Application, to resume prosecution in a continuing application, and to enter amendments, including fees resulting from net addition of claims, to deposit account 13-2491.

7. Because this utility application was filed on or after June 8, 1995, Applicants believe that no terminal disclaimer is required.

STATEMENT

Applicants' Agent hereby states that the entire delay in filing the required reply, from the due date of the reply to the filing of a grantable petition under 37 C.F.R. 1.137(b), was unintentional.

Although no Notice of Abandonment has been received for this file, Applicants' Agent, in a periodic check of the patent files, determined that that 6 month statutory period for response to an Action had been exceeded and that the case was abandoned unintentionally. Applicants' Agent prepared this petition soon thereafter. Applicants' Agent also notes that a Notice of Appeal was filed prior to the expiration of the statutory reply period, but that no Appeal Brief was subsequently filed. When Applicants' Agent became aware of the status of the Application, the Appeal Brief due date had already expired.

Date: June 8, 2000


Signature of person making statement that
abandonment was unintentional

Frank McKiel, Jr.
(type or print name of person making statement)

927 Chambers Drive
Colorado Springs, CO 80904
Residence of person making statement


SIGNATURE OF PRACTITIONER

Frank McKiel, Jr.
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